

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

Case No. 3:16-CR-73-03

District Judge Thomas M. Rose

CHARLES SPENCER,

Defendant.

**ORDER GRANTING IN PART DEFENDANT'S
SECOND MOTION FOR RECONSIDERATION TO CONTINUE**

On April 13, 2018, Defendant appeared in open court, with Counsel, on his Second Motion for Reconsideration of Motion for Continuance. Doc.154 At which, the Defendant reaffirmed his request to continue the Jury Trial set for Monday, April 23, 2018, due to Ms. Toni Harvey-Blount's, a person who was retained by the Defendant to assist with trial, ability to complete her review of records contained on CDs provided by the Government. The Government had no objection to the request for the continuance.

After consideration, the Court finds that within the factual and legal confines of this case, the ends of justice served by granting said motions outweigh the best interests of the public and Defendant's to a speedy trial and **GRANTS** Defendant's Second Motion for Reconsideration of Motion for Continuance (doc.154) in part. Defendant had requested a sixty (60) day continuance however, the Court will grant a brief continuance for the purposes of having Ms. Harvey-Blount present in court on **Monday, April 23, 2018 at 9:00 am** with assistance from the Government to resolve difficulties arising from accessing information contained on the CDs provided by the Government. Jury Trial in this matter will be continued to **Monday, May 21, 2018 at 9:00 am** in Courtroom 2 before Judge Thomas M. Rose. The delay occasioned by this continuance shall be deemed an excusable delay pursuant to the provisions to 18 U.S.C. §3161(h)(7)(A) in computing time from indictment to trial under the Speedy Trial Act.

IT IS SO ORDERED.

Date: April 18, 2018

s/Thomas M. Rose

THOMAS M. ROSE, JUDGE
UNITED STATES DISTRICT COURT